

Clifton Park Town Board Meeting Minutes

April 1, 2002

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m., Supervisor Barrett presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Present: Councilman Paolucci
Councilman Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney Trainor

Patricia Haffner, Director of Parks, Recreation & Community Affairs
Michael Handerhan, Director of Buildings & Grounds
Jason Kemper, Director of Planning
Barbara McHugh, Director of Community Development
Michael O'Brien, Environmental Specialist
Michael Shahan, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilwoman Walowit, to approve the minutes of the March 11 and 18, 2002 meetings as presented.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett stressed the importance of water conservation.

With regard to Riverview Landing Sewer District, the Supervisor reported the town is meeting with DEC to discuss what improvements have been made and plans going forward. He reviewed sewer systems that have been abandoned to the town and noted legislation has allowed the Clifton Park Water Authority to operate and maintain these

systems. The Supervisor said the ultimate goal is to get the town out of the sewer business.

Director of Planning Kemper reviewed the State Supreme Court decision concerning the hotel located at Fire Road and Route 146. The decision has ordered the owners to come back before the Planning Board for a formal site plan application as they had not used all their administrative needs prior to filing the lawsuit. It is anticipated this will be on the April 23rd Planning Board agenda.

Supervisor Barrett said architectural standards have been discussed for some time and asked Mr. Kemper to put some information together for the April 23, 2002 Planning Board meeting.

Councilman Roth announced United States Ambassador for War Crimes and Shenendehowa graduate, Pierre Prosper, will attend the April 15th Town Board meeting.

Supervisor Barrett said approximately \$650 has been received for "Enduring Freedom". He said Clifton Park Center has offered to pay for shipping costs of packages. He introduced Katie Elliott, a Girl Scout working on her Gold Award. She explained she has been requesting donations and putting packages together for soldiers in Afghanistan, has organized a letter-writing campaign and the Supervisor has agreed to mail 72 boxes. Supervisor Barrett expressed appreciation to Clifton Park Center and Mailboxes, Etc. for their donations.

REPORTS

Reports for March from Justice Court and Animal Control were filed with the Town Clerk.

PRESENTATIONS

Environmental Specialist O'Brien gave an update on the Vischer Ferry Nature Preserve and in particular the waterfront and areas in need of attention. He reported a bridge formerly located at Clute's Drydock is being moved to a parcel of open space that will be used as a multi-use path between the Emerson and Falcon Ridge subdivisions. He reviewed efforts to control beaver activity. He expressed appreciation to the Buildings and Grounds Department for their work at the Preserve.

Open Space Committee Co-Chairs David Miller and Jim Romano gave a presentation on the Committee's work. Mr. Miller reported the Committee had embarked on a natural resource inventory, held public informational meetings, held a town wide charrette as well as held a town wide open space survey. He reviewed the results of the open space survey and future plans, information attached. Mr. Romano said the Open Space Committee is a broadbased committee comprised of the Friends of Clifton Park Open Space, builders, developers, farm community, and trails committee, as well as assistance from the town Planning Department, Audubon New York, American Farmland Trust and

Niagara Mohawk. He reviewed completed tasks and those to be completed, including a resource evaluation and fiscal impact study. Mr. Romano said it is anticipated a preliminary draft plan will be given to the Town Board in May and a final plan completed in the fall. Public hearings will be held on the draft plan and a second survey sent out that will include components of the draft plan. It was noted that in-kind services totaling approximately of \$85,000 have been received, thanks in most part to Audubon New York and Niagara Mohawk. Mr. Romano said the Open Space Committee would be happy to give a presentation to any group. Supervisor Barrett said any program will be strictly voluntary, and he doesn't want to see any project affect the fact that there is no general fund town tax. Councilman Roth asked if the fiscal study and final green print will be part of the preliminary draft plan. Mr. Miller responded yes.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 76 of 2002, a resolution authorizing John Scherer, Town Historian, to attend the Association of Public Historians Conference.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, the Director of Parks, Recreation and Community Affairs, has recommended that John Scherer, Town Historian, attend the Association of Public Historians Conference in Schenectady, New York, April 11 - 13, 2002 as a public benefit to the Town, and

WHEREAS, the cost of the conference is \$150.00, which has been budgeted in line item A7510-1 (Historian-Training & Conference); now, therefore, be it

RESOLVED, that John Scherer, Town Historian, is authorized to attend the Association of Public Historians Conference in Schenectady, New York, April 11 - 13, 2002 at a cost not to exceed \$150.00 to be paid from budget line item A7510-1 (Historian-Training & Conference).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 77 of 2002, a resolution setting a public hearing to amend the Sherwood Forest Park District.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, a map, relating to the proposed amendment of the Sherwood Forest Park District prepared by the Planning Department, in such manner and in such detail as has been determined by the Town Board, has been filed with the Town Clerk of the Town of Clifton Park, in accordance with Article 12-A of the Town Law, and

WHEREAS, a description of the boundaries of the proposed amendment of said district is set forth in Exhibit "A" hereof, and

WHEREAS, this amendment to the district involves including the Emerson and Falcon Ridge Subdivisions in the Sherwood Forest Park District, and

WHEREAS, the service proposed is rendering park district service, and

WHEREAS, the proposed method of financing the cost of said service is by taxes levied against the real property located within the district; now, therefore, be it

RESOLVED, that a public hearing be held by the Town Board of the Town of Clifton Park on April 8, 2002 at 7:10 p.m. in the Wood Memorial Meeting Room, 1 Town Hall Plaza, Clifton Park, New York, to consider said map, plan and report and to hear all persons interested therein and to take such action thereon as required.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 78 of 2002, a resolution authorizing a change order for the wading pools at Locust Lane and Barney Road Pools.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, McDonald Engineering, P.C. has recommended that additional work be done to complete the work at the Locust Lane and Barney Road Pools as authorized in Resolution No. 287 of 2001, and

WHEREAS, J. F. Patterson Painting, Co. has submitted a quote for the additional work at a cost of \$3,200.00, and

WHEREAS, a change order is required to authorize these changes; now, therefore, be it

RESOLVED, that authorization is hereby granted to the Town Supervisor to execute a change order for additional work for the wading pools at the Locust Lane and Barney Road Pools at a cost of \$3,200.00 with monies to come from amount authorized in Resolution No. 287 of 2001 with a transfer to A-7150-200 (Barney Rd. Pool-Equipment) and A-7152-200 (Locust Lane-Equipment).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 79 of 2002, a resolution extending the Convenience Transfer Station hours for the annual Spring Clean Up/Green Up Week.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, Ronald Bruzdinski, Convenience Transfer Station Supervisor, has requested authorization to extend the Convenience Transfer Station hours for the Spring Clean Up/Green Up Week from Sunday, April 28, 2002 through Sunday, May 5, 2002; now, therefore, be it

RESOLVED, that the Convenience Transfer Station Supervisor is authorized to extend the Transfer Station hours of operation during Spring Clean Up/Green Up Week from April 28, 2002 through May 5, 2002 as per the attached schedules of hours of operation and overtime costs; and be it further

RESOLVED, that the Sunday hours will be from 10:00 AM to 4:00 PM for collection of leaves and brush only.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 80 of 2002, a resolution amending Ordinance No. 1 of 1992 regarding Convenience Transfer Station Fees.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, on March 18, 2002 a public hearing was conducted to consider amending Ordinance No. 1 of 1992 by increasing the Convenience Transfer Station Fees, and

WHEREAS, no public comments were received at the public hearing; now, therefore, be it

RESOLVED, that Ordinance No. 1 of 1992 is hereby amended by increasing the Convenience Transfer Station Fees as set forth in Schedule "A", effective May 1, 2002.

Supervisor Barrett said the main reason for the increase is the Town Board's commitment for funding of the Transfer Station of fifty percent from the general fund and fifty percent from users. He said though residents have asked about single person permit, it would be too cumbersome to handle. Councilman Speckhard noted the Social Security Disability fee will remain at \$25.00.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 81 of 2002, a resolution appointing Margaret Kinoshian to the Historic Preservation Commission.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the Historic Preservation Commission has recommended that Margaret Kinoshian, 131 Eastside Drive, Ballston Lake be appointed to the Commission for a term to expire on December 31, 2005; now, therefore, be it

RESOLVED, that Margaret Kinoshian, 131 Eastside Drive, Ballston Lake is hereby appointed to the Historic Preservation Commission for a term to expire December 31, 2005.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 82 of 2002, a resolution appointing Chaule Unlimited to provide janitorial services during sports league play in Town parks.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Roth.

WHEREAS, it is both necessary and appropriate to appoint janitors for Town parks during sports league play from April 1, 2002, through October 31, 2002, and payment for these services has been budgeted for 2002; now, therefore, be it

RESOLVED, that Chaule Unlimited, 26 Stonegate Road, Ballston Lake, be appointed as janitors serving Town parks through the completion of sports league play, at a cost not to exceed \$18, 823 for the year (\$2689 per month), to be budgeted from A-7112-23 Clifton Common Cleaning \$13,242, A-7113-23 Collins Park Cleaning \$4257, and A-7024-24 Veteran's Park Cleaning \$1324.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 83 of 2002, a resolution authorizing the Town Board acting as Commissioners of the Longkill I Park District to hereby accept and award the bid for improvements to Longkill Park (Phase I).

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, on February 20, 2002 bids were opened for the above referenced contract, and

WHEREAS, the lowest conforming bidder for this contract is Near-Rychcik Inc, Sunrise Enterprise for an amount of \$92,802.00, and

WHEREAS, Clough, Harbour and Associates has reviewed the bid and has recommended that the bid of Near-Rychcik Inc, Sunrise Enterprise be accepted, and

WHEREAS, the Longkill I Advisory Committee has reviewed the recommendations of Clough, Harbour and Associates and recommends to the Town Board that the bid of Near-Rychcik Inc, Sunrise Enterprise for \$92,802.00 be accepted; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Longkill No. 1 Park District, hereby accepts and awards the above referenced bid to Near-Rychcik Inc, Sunrise Enterprise in the amount of \$92,802.00; and be it further

RESOLVED, that \$50,000 be budgeted from SP5-7123-200 (Longkill #1-Capital Improvement) with an additional \$42,802 to be transferred from Undesignated Fund Balance to SP5-7123-200 and \$2300 be transferred from SP5-909 (Undesignated Fund Balance) to SP5-7123-200 to cover the cost of engineering fees.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 84 of 2002, a resolution setting a public hearing to amend Local Law No. 11 of 1983, the Green Meadows PDD.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, a map, plan and report relating to the proposed amendment of the Green Meadows PDD has been prepared in such manner and in such detail as has been determined by the Town Board and has been filed with the Town Clerk of the Town of Clifton Park; and

WHEREAS, a description of the boundaries of the proposed amendment of said district is set forth in Exhibit A, attached hereto; and

WHEREAS, this amendment to the district involves removing parcels 951 Route 146 (SBL 273.-2-34.12) and 955 Route 146 (SBL 271.-2-34.22) from the existing Green Meadows PDD, and

WHEREAS, the Town of Clifton Park Planning Board has unanimously recommended that the Town Board approve this request, and

WHEREAS, the removal of parcels 951 and 955 Route 146 will allow these parcels to revert to the underlying B-1 zoning designation consistent with similar properties along

Route 146; now, therefore, be it

RESOLVED, that a public hearing be held by the Town Board of the Town of Clifton Park on April 8, 2002 at 7:20 p.m. in the Wood Memorial Meeting, 1 Town Hall Plaza, Clifton Park, New York, to consider said map, plan and report and amending Local Law No. 11 of 1983, the Green Meadows PDD, and to hear all persons interested therein and to take such action thereon as required.

Supervisor Barrett explained these two parcels are surrounded by other commercial properties on Route 146.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 85 of 2002, a resolution awarding the contract for Fireworks, for the Town of Clifton Park Fourth of July Celebration.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, bids were solicited for the annual Fourth of July Fireworks display, and

WHEREAS, the only conforming bid was received from Alonzo Fireworks, 12 County Road 75, Mechanicville, NY, and the Town Administrator recommends the same; now, therefore, be it

RESOLVED, that the bid for the Fourth of July Fireworks display be awarded to Alonzo Fireworks at a cost not to exceed \$12,500.00 to be budgeted from A-7550-52 (Recreation Programs-July 4th Festival), and be it further

RESOLVED, that the Supervisor is hereby authorized to sign an agreement reflecting the approved terms, after the review by the Town Attorney.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 86 of 2002, a resolution authorizing the Supervisor to sign a lease with Xerox for a Copier for the Town Assessor's Office.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, the Town Administrator has recommended that a new copier be leased for the Assessor's office, and

WHEREAS, the proposed cost for leasing the copier has been budgeted per the attached schedule; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement with Xerox for a Copier for thirty-six (36) months at a cost not to exceed \$210.49 per month plus .0183 per copy for Services per State Contract No. 070857609 to be budgeted from A-1355-003 (Assessor-Copier).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 87 of 2002, a resolution authorizing the Supervisor to sign a sewer force main easement and quit claim deed on behalf of the Town for the benefit of Saratoga County Sewer District No. 1 in the Settler's Hill subdivision.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, the Saratoga County Sewer District No. 1 is seeking to obtain a sewer force main easement in the Settler's Hill subdivision, and

WHEREAS, the proposed easement for the sewer line and/or sewer main crosses a portion of the premises conveyed to the Town of Clifton Park by Navion Development Corp. on March 29, 2000 and recorded in the office of the Saratoga County Clerk, and is more particularly described in Schedule "A" as attached hereto, and

WHEREAS, the proposed easement is required for the placement of sewer lines and/or sewer main and for further maintenance activities; now, therefore, be it

RESOLVED, that the easement be granted to the Saratoga County Sewer District No. 1 for the installation and maintenance of sewer lines and/or sewer main; and be it further

RESOLVED, that the Supervisor is authorized to execute all necessary documents on behalf of the Town to convey and record the easement as appropriate, including a quit claim deed of the Town's interest, if any, in all those pipes, conduits, pumps and other related equipment and fixtures constituting the sanitary sewer system installed through open space parcel A of the Seller's Hill subdivision by the Saratoga County Sewer District No. 1.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, spoke in favor the Adult Use Business Overlay Zone but expressed concern with the amount of useable acreage, stating it is considerable less than 85 or so acres that is considered safe. He distributed written comments for the Town Board, Director of Planning and Dr. Penna.

MOTION by Councilman Roth, seconded by Councilman Paolucci, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 8:35 p.m.

Patricia O'Donnell
Town Clerk